
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
FRIDAY MAY 30, 2014

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held May 30, 2014, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

ABSENT: 0.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the minutes from the Investment Committee meeting held May 22, 2014, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the minutes from the regular meeting held April 24, 2014.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

The Board President Hauser called for motions for the Board to adopt the written orders which adopt the Board's decisions.

*It was moved by Trustee Neely, seconded by Trustee Avila that the Board adopt the order as written and submitted on **Roy Isakson**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board adopt the order as written and submitted on **Juan Aceves**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

*It was moved by Trustee Hamburger, seconded by Trustee Neely that the Board adopt the order as written and submitted on **Kevin Finnegan**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

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*It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board adopt the order as written and submitted on **Cheryl Rycraw**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board adopt the order as written and submitted on **Meer Ali**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

*It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board adopt the order as written and submitted on **James McCarthy**.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

The Board Recording Secretary conducted the agenda as follows.

PAGE NO. REFERENCE

1 - 7 Incurred Expenses for the Month of May 2014.

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Obligations as detailed on pages 1 through 7.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

8 - 14 Refunds of Contributions; Withdrawal of Service, Exempt Rank and
Widow's Annuity Accumulations.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Refunds as detailed on pages 8 through 14.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

15 - 16 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Payment to Heirs of Deceased Annuitants as detailed on pages 15 and 16.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

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17 - 19 Annuities [Summary pg. 20]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 17 through 19.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

21 - 24 Annuities - Revised

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board approve the Revised Annuities as detailed on pages 21 through 24.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

25 - 26 Annuities to Widows [Summary pg. 27]

*It was moved by Trustee Neely, seconded by Trustee Avila that the Board approve the Annuities to Widows as detailed on pages 25 and 26, excluding **Catherine (Dale) Bennett**, which is deferred for a full hearing on the claim for a compensation widow's annuity.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

28 Annuities to Children

It was moved by Trustee Neely, seconded by Trustee Wright that the Board approve the Annuities to Children as detailed on page 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

29 Ordinary Disability Benefit Claims

a) **Ward, Bonita**

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Wright that the Board defer ordinary disability benefits to a full hearing.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

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30 Occupational/Duty Disability Benefit Claims

b) McGee, Dwayne

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

Additionally, It was moved by Trustee Neely, seconded by Trustee Lappe, that the Board approve staff deducting a medical no-show fee for an independent medical exam from Officer McGee's benefits.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

c) Spaargaren, Jacqueline

Based on the medical reports, it was moved by Trustee Neely, seconded by Trustee Hamburger that the Board move to defer all benefits, subject to a full evidentiary hearing.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

31 - 33 Payments of Death Benefits [Summary pg. 34]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 31 through 33.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

MISCELLANEOUS

35 REQUEST FOR PENSION CREDIT WHILE ON LEAVE OF ABSENCE

Martinez, Steve

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve pension credit for the leave of absence period as detailed on page 35.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

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PAGE NO. REFERENCE

36 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the prior military service petitions as detailed on page 36.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

General Agenda completed, it was moved by Trustee Neely, seconded by Trustee Lappe that the Board go into executive session pursuant to 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

37 FELONY CONVICTION

Lewellen, Glenn

The Board's attorney advised the Board of a Court Order entered in March 2014, from the US Attorney's Office which indicates the U.S. Department of Treasury has entered an Order, on February 7, 2014, against Lewellen directing the satisfaction of the Forfeiture Judgment with Substitute Assets, citing to monies in the amount of \$59,639.56, which represent the total sum of Mr. Lewellen's pension contributions. The Board will comply with the Court Order and such funds will be disbursed immediately.

Next were hearings on members already in receipt of benefits.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEWS

38 Blair, Patrick

This matter was previously before the Board at the meeting held March 27, 2014, at which time it was continued to the Board's April meeting. A request for a continuance at the April 24, 2014, was submitted and approved. At this meeting of May 30, 2014, **Patrick Blair** appeared and the status review was heard.

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38. DUTY DISABILITY STATUS REVIEWS, continued

After hearing testimony and reviewing additional documents submitted, it was moved by Trustee Lappe, seconded by Trustee Neely, that the Board go into executive session per 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

Officer Blair was informed that he would be required to be reviewed again in six months.

39 Feret, Kevin

Kevin Feret appeared before the Board on a status review of his duty disability benefits on February 27, 2014, based upon the hearing testimony and reviewing documents submitted, the matter was deferred for 60 days in order for Officer Feret to complete a FCE. On April 24, 2014, this matter was before the Board at which time additional testimony was given and additional documents submitted. This matter was continued to the May Board meeting, with a 30 day continuance for Officer Feret to attempt to re-qualify with his firearm with the CPD.

After hearing testimony and reviewing the documents submitted, it was moved by Trustee Neely, seconded by Trustee Wright that the Board continue this matter to the July meeting in order for Officer Feret to complete the procedures to return to duty. Appearance in July not required, if returned to duty prior to that meeting date.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

40 Rollins, Charles

Charles Rollins appeared before the Board on a status review of his duty disability benefits. Testimony was taken and review of documents was completed *it was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board terminate Charles Rollins' disability benefits.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Neely, Scott, Wright 7.

Absent: 0.

Against: Maloney 1.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board that the Board go into executive session pursuant to 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

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40. DUTY DISABILITY STATUS REVIEWS, continued

It was moved by Trustee Neely, seconded by Trustee Wright that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

41 DUTY DISABILITY CLAIMS

Pamela Jones appeared before the Board on her application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Lappe, seconded by Trustee Hamburger, that the Board go into executive session per 2 (c) (11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

Motion by Trustee Neely, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board deny the duty disability application made by Officer Pamela Jones.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: 0.

Against: Neely 1.

Robert Lifonti appeared before the Board on his application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Wright, seconded by Trustee Avila that the Board award a duty disability benefit, with a six-month review.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Wright 6.

Absent: Scott 1.

Against: Lappe 1.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Neely, Wright 6.

Absent: Scott 1.

Against: Lappe 1.

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41. DUTY DISABILITY CLAIMS, continued

Kenneth Ruibis appeared before the Board on his application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Wright to award Ordinary Disability.*

It was moved by Trustee Neely, seconded by Trustee Scott that the Board go into executive session in accordance 2 (c)(11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

There was a motion on the floor to award ordinary disability benefits to Kenneth Ruibis, now seconded by Trustee Hamburger.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: 0.

Against: Neely 1.

Michael Saladino appeared before the Board on his application for a duty disability benefit. After hearing testimony and reviewing documentation submitted, *it was moved by Trustee Lappe, seconded by Trustee Maloney that the Board award a duty disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Hamburger that the Board grant the duty award at 75% of salary as defined in the Statute.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Wright 7.

Absent: Scott 1.

Against: 0.

Prior to a break the Executive Director's Report was reviewed.

The Executive Director reviewed with the Board an estimate of programming costs for the pension system implementation relating to the calculation and transmission of the 2% healthcare costs to be charged to certain retiring Sergeants and Lieutenants, per recently negotiated contracts with the City of Chicago.

There were several requests submitted by Trustees and the CIO to attend various seminars, conferences and training programs.

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It was moved by Trustee Neely, seconded by Trustee Lappe, that the Board approve any trustee that would like to attend the LOFT Investors Forum on June 27th.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Neely, seconded by Trustee Avila, that the Board approve any trustee that would like to attend the 2014 Public Safety Employees Pension Conference on October 26-29th.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Maloney, seconded by Trustee Neely, that the Board approve the Fund's CIO attendance at the Practical Risk Management Seminar held at the University of Chicago.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe, that the Board approve Trustee Maloney's request to enroll in the program offered by CAIA and take all related exams.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

The next item on the Executive Director's report; based on annual exams on disability recipients and the recommendation of the Board's physician, Dr. Orris, requests for further evaluation and testing were made, including a FCE and/or a focused IME.

*It was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve and direct **Kathleen Foley** to have a FCE, Functional Capacity Evaluation, completed.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

*It was moved by Trustee Maloney, seconded by Trustee Hamburger that the Board approve and direct **Nicholas Stella** to have an IME, Independent Medical Evaluation, completed.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.

Last item of business, the Board's attorney, for purposes of codifying the records, indicated that all of the Board's documents that were previously marked for the status hearing of duty disability recipient Jimmie Lange, are now made a part of the record. Mr. Kugler noted Mr. Lange went to the range at the Chicago Police Department and was unable to qualify. Mr. Kugler noted that the Board will take these matters under advisement and a Board order will be issued at a later date.

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All business concluded for this date, May 30, 2014, *it was moved by Trustee Scott, seconded by Trustee Neely that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Neely, Scott, Wright 8.

Absent: 0.

Against: 0.